

1. Whether the Enforcement Memorandum of the Occupational Safety & Health Administration (“OSHA”) and the Department of Labor (“DOL”), Memorandum for Regional Administrators and State Plan Designees, *Process Safety Management of Highly Hazardous Chemicals and Covered Concentrations of Listed Appendix A Chemicals* (June 5, 2015), violates the Occupational Safety & Health Act (“OSH Act”), 29 U.S.C. §§ 651 et seq.; violates procedural

requirements set forth in the Administrative Procedure Act (“APA”), 5 U.S.C. §§ 553, 706; or is arbitrary and capricious, unsupported by substantial evidence, or otherwise inconsistent with reasoned decision-making under the APA, 5 U.S.C. §§ 553, 706.

Respectfully submitted,

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Date: September 8, 2015

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Appellate Procedure 25, I hereby certify that a true and correct copy of the foregoing document was served through the Court's CM/ECF system, or by U.S. first-class mail, postage prepaid, in accordance with the Rules of this Court, upon:

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Dated at Washington, D.C., this 8th of September, 2015.

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